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Docket No.: 55793-DIV(48340)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Linda A. Sherman, et al.

EXAMINER: DeCloux, Amy M.

SERIAL NO.: 09/774,681

GROUP: 1644

FILED: February 1, 2001

FOR: RECOMBINANT CONSTRUCTS-ENCODING T-CELL RECEPTORS
SPECIFIC FOR HUMAN HLA-RESTRICTED TUMOR ANTIGENSCommissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TECH CENTER 1600/2900

MAY 15 2003

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CERTIFICATE OF MAILING

I, Patricia A. Barnes, hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office, as First Class Mail, postage prepaid, on **May 8, 2003**, in an envelope addressed to the: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.


Patricia A. Barnes

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action dated March 11, 2003, the period for response having been extended one (1) month by the enclosed Petition for Extension of Time and requisite fee, Applicants respond as follows.

Applicants respectfully disagree that a species election should be required in this case. For example, the Office has already conducted what should have been a comprehensive search in the parent case. Accordingly, the searching burden posed by the present case should be minimal. Any further searching that is needed would be substantially co-extensive with the prior search.

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However to comply with the Office requirement that Applicant elect a species for examination purposes, Applicant responds as follows.

Applicant elects an isolated nucleic acid molecule that includes a nucleotide sequence encoding a **beta peptide**, in which the peptide is **murine** and **HLA-A2 restricted** and is specific for **p53 antigen**. The elected nucleic acid further includes sequence that encodes a **transmembrane and cytoplasmic region of human CD3 zeta** in which that sequence **corresponds to nucleotide numbers 927 to 1334** as shown in Figure 3A-B, for instance. Further elected is a sequence encoding the **CD8 hinge between nucleotide numbers 786 to 914** as shown, for example, in Figure 3A-B.

The elected species is featured by claims 6-19 and 22-31, for instance.

Applicants make the present election solely to comply with Office requirements for examination. It is expected that prior to issuance of a Notice of Allowance, that the Office will conduct a comprehensive search of the prior art that is commensurate with the scope of all pending claims.

Early examination of this application is earnestly solicited.

Although it is not believed that any further fee is required to consider this submission, the

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Examiner is hereby authorized to charge our deposit account 04-1105 should any fee be deemed necessary.

Respectfully submitted,

Date: 8 May 03


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